

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO.: 5:08-cv-00378

JESSIE DARQUEENE ASHLEY, Executrix of the Estate of)
LARRY GENE ASHLEY;

Plaintiff,)

vs.)

THE ANCHOR PACKING COMPANY;)

A.W. CHESTERTON;)

BAYER CROPSCIENCE INC., (f/k/a Aventis CropScience USA Inc.,)

f/k/a Rhone-Poulenc Ag Company Inc., a/k/a AmchemProducts, Inc.);)

BONDEX INTERNATIONAL, INC.;)

CBS CORPORATION (f/k/a Viacom, Inc., successor by merger to)

CBS Corporation, f/k/a Westinghouse Electric Corporation);)

CERTAINTED CORPORATION;)

CLEAVER-BROOKS, INC. (f/k/a Aqua-Chem d/b/a Cleaver Brooks);)

CROWN CORK AND SEAL COMPANY, INC. (Successor to)

Mundet Cork Corporation);)

DANIEL INTERNATIONAL CORPORATION;)

FOSTER WHEELER ENERGY CORPORATION;)

GARLOCK SEALING TECHNOLOGIES LLC (Successor by)

Merger to Garlock, Inc.);)

GENERAL ELECTRIC COMPANY;)

GENERAL REFRACTORIES COMPANY;)

GEORGIA-PACIFIC CORPORATION;)

GUARD-LINE, INC.;)

H. B. FULLER COMPANY (Individually and as Successor-in-)

interest to Benjamin Foster Division (formerly Benjamin Foster)

Company) of Amchem Products Inc. (Parker Amchem, Inc.) and)

renamed the Foster Products Division;)

INDUSTRIAL HOLDINGS CORPORATION (f/k/a)

Carborundum Corporation);)

JOHN CRANE, INC.;)

METROPOLITAN LIFE INSURANCE COMPANY;)

NATIONAL SERVICE INDUSTRIES, INC.(f/k/a North Brothers, Inc.);)

OWENS ILLINOIS, INC.;)

RAPID AMERICAN CORPORATION;)

REPUBLIC POWDERED METALS, INC.;)

RILEY POWER, INC. (f/k/a D.B. Riley, Inc., f/k/a Riley Stoker)

Corporation);)

T H AGRICULTURE & NUTRITION, L.L.C.;)

UNION CARBIDE CORPORATION;)

Defendants.)

ASBESTOS
COMPLAINT

CIVIL ACTION COMPLAINT

Plaintiff hereby adopts and incorporates Plaintiff's Master Long-Form Complaint in RE: Asbestos Litigation in the United States District Court for the Eastern District of Pennsylvania filed as of Miscellaneous No. 86-0457. Pursuant to the August 20, 1996 Order of the Honorable Charles R. Weiner, the following short-form Complaint is utilized in this asbestos action:

1. The Plaintiffs are:

a. Plaintiff ("plaintiff-executrix, etc.,")

Name: Jessie Darquenne Ashley
Address: available upon request
Social Security No.: available upon request
Date of Birth.: available upon request

2. The Deceased Injured Party is:

a. Deceased ("deceased-worker")

Name: Larry Gene Ashley
Address: N/A
Social Security No.: available upon request
Date of Birth: available upon request

3. The Court has jurisdiction of this matter by way of diversity of citizenship inasmuch as plaintiff and defendants are not residents or have principle place of business in the same state. These defendants, however, all do or have done business in the State of North Carolina. Moreover, the amount in controversy, exclusive of interest and costs, exceeds \$75,000.00.

4. The defendants are those companies listed in the caption.

5. Plaintiff hereby incorporates by reference the following Counts from the Master Long-Form Complaint: Counts I, II, III, IV, IX and X.

6. Plaintiff's asbestos exposure history including, to the extent possible at this time, and the asbestos products to which plaintiff was exposed is attached hereto as Schedule I.

7. Deceased-worker was diagnosed with an asbestos-related disease within the applicable statutes of limitation and died as a result thereof on May 2, 2008.

8. A claim for lost wages of deceased-worker is: To be determined, if any.

9. Plaintiff certifies that he/she has not been a party to any related third-party asbestos litigation.

This the 12th day of August, 2008.

MARTIN & JONES

/s/ E. Spencer Parris

E. Spencer Parris

N.C. State Bar No.: 011042

H. Forest Horne, Jr.

N.C. State Bar No.: 016678

J. Michael Riley

N.C. State Bar No.: 018396

410 Glenwood Ave., Suite 200

Raleigh, North Carolina 27603

Telephone: (919) 821-0005

Facsimile: (919) 863-6071

JURY DEMAND

Plaintiff demands that all issues of fact in this case be tried before a properly impaneled jury.

SCHEDULE I

Worker History Asbestos Exposure Information

EXPOSURE SITE

APPROXIMATE DATES

Various Job Sites on the East Coast working in various trades
as machine operator, mechanic, welder's helper and carpenter.

1950's - 1970's

PRODUCTS CONTAINING ASBESTOS:

The Anchor Packing Company – Packing
A.W. Chesterton - packing material
Bayer CropScience (Amchem) - Lagtane insulation coating, foamseal sealant,
CI and HI mastic
Bondex – Joint Cements and Compounds
CBS Corporation (Westinghouse Electric) - Turbines
Certainteed – Asbestos cement pipe
Cleaver-Brooks, Inc. - boilers
Crown Cork & Seal - Mundet cement
Foster Wheeler – boilers
Garlock – Gaskets
General Electric Company – Turbines
General Refractories Company – Grefco Insulating Cement
Georgia-Pacific Corporation – ready mix joint compounds
Guard-line, Inc. – Gloves
H.B. Fuller – Benjamin Foster Mastics
Industrial Holdings Corporation (Carborundum)– Grinding Wheels
John Crane, Inc. – Packing
Owens Illinois, Inc. - Kaylo
Rapid American Corporation – Philip Carey Products
Republic Powdered Metals – Joint Cements and Compounds
Riley Power, Inc. - Boilers
T H Agriculture & Nutrition, L.L.C. - asbestos fiber
Union Carbide – Bakelite, Calidria, asbestos fibre

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEFENDANT LIST

The Anchor Packing Company
By and Through its Registered Agent
C.T. Corporation Systems
Corporate Trust Center
1209 Orange Street
Wilmington, Delaware 19801

A.W. Chesterton
By and Through its Registered Agent
CT Corporation System
350 North St. Paul Street
Suite 2900
Dallas, Texas 75201

Bayer Cropscience Inc., (f/k/a Aventis CropScience USA Inc., f/k/a Rhone-Poulenc Ag Company Inc.,
a/k/a Amchem Products, Inc.)
By and Through Its Registered Agent for Service
Corporation Service Company
80 State Street
Albany, New York 12207-2543

Bondex International, Inc.
By and Through Its Registered Agent
The Prentice Hall Corp System
50 West Broad Street
Suite 1800
Columbus, Ohio 43215

CBS Corporation (f/k/a Viacom, Inc. successor by merger to CBS Corporation,
f/k/a Westinghouse Electric Company)
By and Through Its Registered Agent
Corporation Service Company
2711 Centerville Road
Wilmington, DE 19808

Certainfeed Corporation
By and Through Its Registered Agent
CT Corporation System
225 Hillsborough Street
Raleigh, NC 27603

Cleaver-Brooks, Inc. (f/k/a Aqua-Chem d/b/a/ Cleaver Brooks)
By and Through its Registered Agent
The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

Crown Cork & Seal (Successor to Mundet Cork Corporation)
PO Box 63290
Philadelphia, Pennsylvania 19114

Daniel International Corporation
By and Through its Registered Agent
John R. Reynolds
100 Flour Daniel Drive
Greenville, South Carolina 29607

Foster Wheeler Energy Corporation
Perryville Corporate Park
PO Box 4000
Clinton, NJ 08809-4000

Garlock Sealing Technologies, LLC (Successor by Merger to Garlock, Inc.)
By and Through Its Registered Agent
CT Corporation System
225 Hillsborough Street
Raleigh, NC 27603

General Electric Company
By and Through Its Registered Agent
CT Corporation System
225 Hillsborough Street
Raleigh, NC 27603

General Refractories Company
c/o Barry Katz, President and General Counsel
225 City Line Avenue
Bala Cynwyd, PA 19004

Georgia-Pacific Corporation
By and Through Its Registered Agent
CT Corporation System
225 Hillsborough Street
Raleigh, NC 27603

Guard-Line, Inc.
c/o H. Lee Stanley
215 South Louise Street
Atlanta, Texas 75551

H.B. Fuller Company (Individually and as Successor-in-interest to Benjamin Foster Division (formerly Benjamin Foster Company) of Amchem Products, Inc. (Parker Amchem, Inc.) and renamed the Foster Products Division)

By and Through Its Registered Agent

CT Corporation System

225 Hillsborough Street

Raleigh, NC 27603

Industrial Holdings Corporation (f/k/a Carborundum Corporation)

By and Through Their Counsel

Maron & Marvel, P.A.

ATTN: Complaint Processing

1201 North Market Street

Suite 900

Wilmington, DE 19801

John Crane, Inc.

By and Through Its Registered Agent

CT Corporation System

225 Hillsborough Street

Raleigh, NC 27603

Metropolitan Life Insurance Company

c/o Lowell L. Jacobs, Chief Counsel

Legal Department

One Madison Avenue

New York, New York 10010-3690

National Service Industries, Inc. (f/k/a North Brothers, Inc.)

Corporation Service Company

327 Hillsborough Street

Raleigh, North Carolina 27603

Owens Illinois, Inc.

One Michael Owens Way

Perrysburg, Ohio 43551

Rapid American Corporation

2711 Centerville Road

400

Wilmington, DE 19808

Republic Powdered Metals, Inc.

By and Through Its Registered Agent

The Prentice Hall Corp System

50 West Broad Street

Columbus, Ohio 43215

Riley Power, Inc. (f/k/a D.B. Riley, Inc., f/k/a Riley Stoker Corporation)
By and Through its Registered Agent
Corporation Service Company
327 Hillsborough Street
Raleigh, NC 27603

T H Agriculture & Nutrition, L.L.C.
By and Through Its Registered Agent
Corporation Service Company
2711 Centerville Road, Suite 400
Wilmington, DE 19808

Union Carbide
By and Through Its Registered Agent
CT Corporation System
225 Hillsborough Street
Raleigh, NC 27603